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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Lawrence W. Krebs et al

Serial No. 09/110,661

Filed: July 7, 1998

For: ATM NETWORK MANAGEMENT SYSTEM

Group Art Unit 2762

Examiner B. Phunkulh

RESPONSE AFTER FINAL

RECEIVED
AUG 23 2001
Technology Center 2600

Box AF - EXPEDITED PROCEDURE -
Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed June 28, 2001.

Applicants respectfully request reconsideration of the rejection of Claim 1 under 35 U.S.C. §102(b) as being anticipated by Hearn et al (US 5,640,505), hereinafter Hearn.

Anticipation requires that every claim limitation be present in a single prior art reference and that there must be no difference between the claimed invention and the reference as viewed by one of ordinary skill in the art. See *Motorola, Inc. v. Interdigital Tech Corporation*, 43 USPQ 2d 1481 (Fed. Cir. 1997). Thus, if there is a limitation contained in the claim which is not the reference, there can be no anticipation.

Several limitations and features contained in the claim are not found in Hearn, and the Hearn architecture is different from that claimed.